



General Assembly

February Session, 2016

Amendment

LCO No. 6041



Offered by:

SEN. LOONEY, 11th Dist.
SEN. DUFF, 25th Dist.
SEN. COLEMAN, 2nd Dist.
SEN. DOYLE, 9th Dist.

SEN. SLOSSBERG, 14th Dist.
SEN. GERRATANA, 6th Dist.
SEN. CASSANO, 4th Dist.
SEN. MCLACHLAN, 24th Dist.

To: Subst. Senate Bill No. 15

File No. 574

Cal. No. 361

"AN ACT ADOPTING THE REQUIREMENTS OF NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS V. FEDERAL TRADE COMMISSION AND REVISING CERTAIN BOARDS AND COMMISSIONS STATUTES."

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- 1 In line 43, after "commission" insert "that is adverse to a party"
- 2 Strike lines 80 to 83, inclusive, in their entirety, and insert the
- 3 following in lieu thereof:
- 4 "(6) Each board or commission shall meet at least once in each
- 5 quarter of a calendar year and at such other times as the chairperson or
- 6 the Commissioner of Consumer Protection deems necessary. [or at the
- 7 request of a majority of the board or commission members.] A majority
- 8 of the members shall constitute a"
- 9 Strike lines 109 to 137, inclusive, in their entirety, and insert the
- 10 following in lieu thereof:

11 "(8) Each examining board within the Department of Consumer
12 Protection or the Commissioner of Consumer Protection shall conduct
13 any hearing or other action required for an application submitted
14 pursuant to section 20-333, as amended by this act, and any completed
15 renewal application submitted pursuant to section 20-335 not later
16 than (A) thirty days after the date of submission for such application or
17 completed renewal application, as applicable, or (B) a period of time
18 deemed appropriate by the Commissioner of Consumer Protection, but
19 not to exceed sixty days after such date of submission.

20 (b) Each board or commission within the Department of Consumer
21 Protection under section 21a-6, as amended by this act, that makes a
22 proposed final decision that is adverse to a party as described in
23 subdivision (1) of subsection (a) of this section, shall submit such
24 proposed decision to the Commissioner of Consumer Protection. Not
25 later than thirty calendar days after receipt of any such proposed
26 decision, the Commissioner of Consumer Protection shall notify such
27 board or commission that the commissioner shall render the final
28 decision concerning such matter. Not later than thirty days after
29 receipt of any such proposed decision, the commissioner shall
30 approve, modify or reject the proposed decision or remand the
31 proposed decision for further review or for the taking of additional
32 evidence. The commissioner shall notify the board or commission in
33 writing of the commissioner's decision and include in such notification
34 the rationale for such decision. The decision of the commissioner shall
35 be the final decision in accordance with section 4-180 for purposes of
36 reconsideration in accordance with section 4-181a or appeal to the
37 Superior Court in accordance with section 4-183."

38 In line 138, strike "and (8)" and insert "to (9), inclusive," in lieu
39 thereof

40 Strike lines 148 and 149 in their entirety and insert the following in
41 lieu thereof:

42 "such boards or commissions. The department shall distribute

43 [monthly] quarterly a list of all complaints received within the
44 previous [month] quarter to the"

45 Strike lines 166 to 170, inclusive, in their entirety and insert the
46 following in lieu thereof:

47 "that such complaint lacks probable cause. [Notice of such dismissal
48 shall be given only after approval by the appropriate board or
49 commission. The commissioner may authorize a settlement if the
50 settlement is approved by the complainant, the practitioner, and the
51 board or commission.] The commissioner may bring a complaint
52 before"

53 In line 178, before "All" insert an opening bracket

54 In line 182, after "basis." insert a closing bracket

55 After line 182, insert the following:

56 "(9) The department may contract with a third party, if the
57 commissioner deems it necessary, [and if the appropriate board or
58 commission consents,] to administer licensing examinations and
59 perform all attendant administrative functions in connection with such
60 examination and to monitor continuing professional education
61 requirements, and may require the payment of a fee to such third
62 party."

63 After line 189, insert the following:

64 "(1) The commissioner shall, in consultation with each board or
65 commission, exercise the functions of licensing, certification,
66 registration, accreditation of schools and the rendering of findings,
67 orders and adjudications."

68 In line 190, bracket "(1)" and insert "(2)" after the closing bracket

69 In line 209, bracket "(2)" and insert "(3)" after the closing bracket

70 In line 219, bracket "(3)" and insert "(4)" after the closing bracket

71 Strike lines 694 to 714, inclusive, in their entirety and insert the
72 following in lieu thereof:

73 "(2) The provisions of this section shall not apply (A) to any such
74 board, commission, committee or body whose members are elected
75 wholly or partially on the basis of a geographical division of the state
76 or political subdivision, (B) to a legislative body of a municipality (i)
77 having a town meeting as its legislative body, or (ii) for which the
78 charter or a special act, on January 1, 1987, provided otherwise, [or] (C)
79 to the city council of an unconsolidated city within a town and the
80 town council of such town if the town has a town council and a
81 representative town meeting, the town charter provides for some form
82 of minority representation in the election of members of the
83 representative town meeting, and the city has a city council and a body
84 having the attributes of a town meeting, or (D) to the board of directors
85 and other officers of any district, as defined in section 7-324, having
86 annual receipts from all sources not in excess of two hundred fifty
87 thousand dollars."

88 After the last section, add the following and renumber sections and
89 internal references accordingly:

90 "Sec. 501. Section 21a-9 of the general statutes is repealed and the
91 following is substituted in lieu thereof (*Effective July 1, 2016*):

92 (a) With regard to the boards and commissions within the
93 Department of Consumer Protection, the Commissioner of Consumer
94 Protection (1) shall adopt uniform rules of procedure, consistent with
95 chapter 54, for hearings and other proceedings to be conducted by the
96 boards or commissions or by the commissioner and for the giving of
97 notice to persons affected by such proceedings, and (2) may, where
98 authorized by statute, adopt regulations regarding any subject within
99 the jurisdiction of a board or commission.

100 (b) Any rules of procedure and regulations adopted pursuant to this
101 section shall be adopted in accordance with chapter 54. No regulation
102 shall be adopted pursuant to this section until the appropriate board or

103 commission has had reasonable opportunity to review the proposed
104 regulation and to offer comments thereon.

105 (c) Each such board or commission may act in accordance with the
106 provisions of subdivision (7) of section 21a-7, as amended by this act,
107 and the commissioner may act in accordance with the provisions of
108 subdivision [(3)] (4) of subsection (b) of section 21a-8, in the case of a
109 practitioner who: (1) Engages in fraud or material deception in order to
110 obtain a license, registration or certificate issued by the board, [or]
111 commission or commissioner or to aid another in obtaining a license,
112 registration or certificate issued by the board, [or] commission or
113 commissioner; (2) performs work beyond the scope of the license,
114 registration or certificate issued by the board, [or] commission or
115 commissioner; (3) illegally uses or transfers a license, registration or
116 certificate issued by the board, [or] commission or commissioner; (4)
117 performs incompetent or negligent work; (5) makes false, misleading
118 or deceptive representations to the public; (6) has been subject to
119 disciplinary action similar to that specified in subdivision (7) of section
120 21a-7, as amended by this act, or subdivision [(3)] (4) of subsection (b)
121 of section 21a-8 by a duly authorized professional agency of the United
122 States, any state within the United States, the District of Columbia, a
123 United States possession or territory or a foreign jurisdiction; or (7)
124 violates any provision of the general statutes or any regulation
125 established thereunder, relating to the practitioner's profession or
126 occupation.

127 (d) In order to ensure compliance with the provisions of the
128 Sherman Act, 15 USC 1 et seq., as amended from time to time, the
129 Commissioner of Consumer Protection shall reject any proposed final
130 decision of a board or commission submitted for the commissioner's
131 approval pursuant to section 21a-7, as amended by this act, if the
132 commissioner finds such decision will have an anticompetitive effect.

133 [(d)] (e) As used in chapters 390, 391, 392, 393, 394, 396, 400g, 400j,
134 482 and 400l:

135 (1) "Certificate" includes the whole or part of any Department of
136 Consumer Protection permit which the department issues under
137 authority of the general statutes and which (A) authorizes practice of
138 the profession by certified persons but does not prohibit the practice of
139 the profession by others, not certified, (B) prohibits a person from
140 falsely representing that such person is certified to practice the
141 profession unless the person holds a certificate issued by the
142 department, and (C) requires as a condition of certification that a
143 person submit specified credentials to the department which attest to
144 qualifications to practice the profession.

145 (2) "License" includes the whole or part of any Department of
146 Consumer Protection permit, approval, or similar form of permission
147 which the department issues under authority of the general statutes
148 and which requires (A) practice of the profession by licensed persons
149 only, (B) demonstration of competence to practice by examination or
150 other means and meeting of certain minimum standards, and (C)
151 enforcement of standards by the department or regulatory board or
152 commission.

153 (3) "Registration" includes the whole or part of any Department of
154 Consumer Protection permit which the department issues under
155 authority of the general statutes and which (A) requires persons to
156 place their names on a list maintained by the department before they
157 can engage in the practice of a specified profession or occupation, (B)
158 does not require a person to demonstrate competence by examination
159 or other means, and (C) may be revoked or suspended by the
160 commissioner for cause.

161 Sec. 502. Section 20-294 of the general statutes is repealed and the
162 following is substituted in lieu thereof (*Effective July 1, 2016*):

163 The board may suspend for a definite period, not to exceed one
164 year, or revoke any license or certificate of authority issued under this
165 chapter, after notice and hearing in accordance with the regulations
166 adopted by the Commissioner of Consumer Protection, or may

167 officially censure any person holding any such license or certificate of
168 authority and may assess a civil penalty of up to one thousand dollars,
169 (1) if it is shown that the license or certificate was obtained through
170 fraud or misrepresentation, (2) if the holder of the license or certificate
171 has been found guilty by the board or by a court of competent
172 jurisdiction of any fraud or deceit in such holder's professional practice
173 or has been convicted of a felony, (3) if the holder of the license or
174 certificate has been found guilty by the board of gross incompetency or
175 of negligence in the planning or construction of buildings, or (4) if it is
176 shown to the satisfaction of the board that the holder of the license or
177 certificate has violated any provision of this chapter or any regulation
178 adopted under this chapter. Any such suspension or revocation of a
179 license or certificate by the board shall be a proposed final decision
180 and submitted to the commissioner in accordance with the provisions
181 of subsection (b) of section 21a-7, as amended by this act. The board
182 may reissue any such license or certificate which has been revoked,
183 and may modify the suspension of any such license or certificate which
184 has been suspended.

185 Sec. 503. Section 20-296 of the general statutes is repealed and the
186 following is substituted in lieu thereof (*Effective July 1, 2016*):

187 The board may, upon the complaint of any one or more licensed
188 architects or on its own motion, request the Department of Consumer
189 Protection to inquire into the existence of any violations of the
190 provisions of this chapter or the regulations adopted under this
191 chapter. If the board determines that a violation of any such provision
192 or regulation exists, the board may issue an appropriate order to the
193 person or persons found to be so violating such provision or
194 regulation, providing for the immediate discontinuance of such
195 violation, or may assess a civil penalty of up to one thousand dollars,
196 or both. Any such issuance of an order or assessment of a penalty by
197 the board shall be a proposed final decision and submitted to the
198 commissioner in accordance with the provisions of subsection (b) of
199 section 21a-7, as amended by this act.

200 Sec. 504. Section 20-302 of the general statutes is repealed and the
201 following is substituted in lieu thereof (*Effective July 1, 2016*):

202 No person shall practice or offer to practice the profession of
203 engineering in any of its branches, including land surveying, or use
204 any title or description tending to convey the impression that such
205 person is a professional engineer or a land surveyor, unless such
206 person has been licensed or is exempt under the provisions of this
207 chapter. The following shall be considered as minimum evidence
208 satisfactory to the board or Commissioner of Consumer Protection that
209 the applicant is qualified for licensure as a professional engineer,
210 engineer-in-training, land surveyor or surveyor-in-training,
211 respectively:

212 (1) Professional engineer: Graduation from an approved course in
213 engineering in a school or college approved by the board or
214 commissioner as of satisfactory standing, a specific record of an
215 additional four years of active practice in engineering work, which
216 shall be of a character satisfactory to the board or commissioner, and
217 the successful passing of a written or written and oral examination
218 prescribed by the board, with the consent of the commissioner, the first
219 part of which shall test the applicant's knowledge of fundamental
220 engineering subjects, including mathematics and the physical sciences,
221 and the second part of which shall test the applicant's ability to apply
222 the principles of engineering to the actual practice of engineering. In
223 lieu of graduation as specified in this subdivision, the board or
224 commissioner may accept, as an alternative, six years or more of
225 experience in engineering work which shall be of a character
226 satisfactory to the board and which shall indicate knowledge, skill and
227 education approximating that attained through graduation from an
228 approved course in engineering. The board or commissioner may
229 waive the written examination requirement in the case of an applicant
230 who submits a specific record of twenty years or more of lawful
231 practice in engineering work which shall be of a character satisfactory
232 to the board or commissioner and which shall indicate that the
233 applicant is competent to be in responsible charge of such work, and

234 may waive the first part of the written examination for an applicant
235 who has completed an approved course in engineering and has at least
236 eight years of engineering experience.

237 (2) Engineer-in-training: The board or commissioner may license as
238 an engineer-in-training a person who is a graduate of an approved
239 course in engineering or who has had the alternative experience
240 prescribed in subdivision (1) of this section and who has successfully
241 passed the first part of the examination specified in said subdivision.
242 Licensure as an engineer-in-training shall remain valid for a period of
243 ten years from date of issuance of an applicant's first license toward
244 meeting in part the requirements of subdivision (1) of this section.

245 (3) Land surveyor: Graduation from a school or college approved by
246 the board or commissioner as of satisfactory standing, including the
247 completion of an approved course in surveying, a specific record of an
248 additional three years of active practice in land surveying, which shall
249 be of a character satisfactory to the board or commissioner, and the
250 successful passing of a written or written and oral examination,
251 prescribed by the board with the consent of the commissioner, for the
252 purpose of testing the applicant's knowledge of the fundamentals of
253 land surveying and the procedures pertaining to land surveying. In
254 lieu of graduation as specified in this subdivision, the board or
255 commissioner may accept, as an alternative, six years or more of
256 experience in surveying work which shall be of a character satisfactory
257 to the board or commissioner and which shall indicate knowledge,
258 skill and education approximating that attained through completion of
259 an approved course in surveying. The board or commissioner may
260 waive the written examination requirement in the case of an applicant
261 who submits a specific record of sixteen years or more of lawful
262 practice in surveying work, at least ten of which shall have been in
263 land surveying, of a character satisfactory to the board or
264 commissioner and which shall indicate that the applicant is competent
265 to be in responsible charge of such work.

266 (4) Surveyor-in-training: The board or commissioner may license as

267 a surveyor-in-training a person who is a graduate of a school or college
268 approved by the board or commissioner or who is scheduled to
269 graduate from such an institution within three months after applying
270 for licensure, or who has had six years or more of experience in
271 surveying work of a character satisfactory to the board or
272 commissioner and which indicates knowledge, skill and education
273 approximating that attained through completion of an approved
274 course in surveying, provided any such person has successfully passed
275 part 1 of the national examination relating to fundamentals of land
276 surveying. Licensure as a surveyor-in-training shall remain valid for a
277 period of ten years from the date of issuance of an applicant's first
278 license toward meeting in part the requirements of subdivision (3) of
279 this section.

280 Sec. 505. Section 20-304 of the general statutes is repealed and the
281 following is substituted in lieu thereof (*Effective July 1, 2016*):

282 The [board shall authorize the] Department of Consumer Protection
283 [to] shall issue a license, upon payment of a fee as provided in section
284 20-305, to any applicant who [, in the opinion of the board,] has
285 satisfactorily met all the requirements of this chapter. The issuance of a
286 license by the department shall be evidence that the person named in
287 such license is entitled to all the rights and privileges of a licensed
288 professional engineer, or of a licensed land surveyor, while such
289 license remains valid. Nothing in this chapter shall be construed as
290 permitting a person licensed only as a land surveyor to practice any
291 other branch of the profession of engineering nor as permitting a
292 licensed professional engineer to practice land surveying unless such
293 person is a holder of a valid combined license as professional engineer
294 and land surveyor. The Commissioner of Consumer Protection, with
295 the advice and assistance of the board, may adopt regulations, in
296 accordance with chapter 54, pertaining to the design and use of seals
297 by licensees under this chapter. Each agency, department, board or
298 commission of the state or political subdivision of the state shall
299 accept, subject to review for conformance with all approved policies
300 and standards, any final drawings, specifications, plots, reports, papers

301 or documents relative to the practice of a licensed professional
302 engineer or land surveyor when sealed and submitted on behalf of an
303 employer by a licensed professional engineer or licensed land
304 surveyor.

305 Sec. 506. Subsection (a) of section 20-304a of the 2016 supplement to
306 the general statutes is repealed and the following is substituted in lieu
307 thereof (*Effective July 1, 2016*):

308 (a) The board or Commissioner of Consumer Protection may issue
309 an automatic fire sprinkler system layout technician's license to any
310 person who has received level III certification from the National
311 Institute for Certification in Engineering Technologies in the field of
312 fire protection engineering technology or a subfield of automatic
313 sprinkler system layout. Any person who is a professional engineer
314 licensed in accordance with the provisions of this chapter shall be
315 exempt from such licensing requirement.

316 Sec. 507. Section 20-307a of the general statutes is repealed and the
317 following is substituted in lieu thereof (*Effective July 1, 2016*):

318 The Department of Consumer Protection may, upon request of the
319 board or on its own motion, inquire into the existence of violations of
320 the provisions of this chapter. If, after notice and opportunity for
321 hearing as provided in the regulations adopted by the Commissioner
322 of Consumer Protection, the board determines that a violation of any
323 provision of this chapter or any regulation adopted under this chapter
324 exists, the board may issue an appropriate order to the person or
325 persons found to be so violating such provision or regulation,
326 providing for the immediate discontinuance of such violation. Any
327 such issuance of an order by the board shall be a proposed final
328 decision and submitted to the commissioner in accordance with the
329 provisions of subsection (b) of section 21a-7, as amended by this act.

330 Sec. 508. Section 20-312 of the general statutes is repealed and the
331 following is substituted in lieu thereof (*Effective July 1, 2016*):

332 (a) No person shall act as a real estate broker or real estate
333 salesperson without a license issued by the commission or the
334 Commissioner of Consumer Protection, unless exempt under this
335 chapter. The Commissioner of Consumer Protection may enter into
336 any contract for the purpose of administratively processing the
337 renewal of licenses on behalf of the commission.

338 (b) The practice of or the offer to practice real estate brokerage
339 business in this state by individual licensed real estate brokers or real
340 estate salespersons as a corporation, limited liability company or
341 partnership, a material part of the business of which includes real
342 estate brokerage, is permitted, provided (1) the personnel of such
343 corporation, limited liability company or partnership who engage in
344 the real estate brokerage business as real estate brokers or real estate
345 salespersons, and the real estate brokers whose ownership, control,
346 membership or partnership interest is credited toward the
347 requirements of subdivision (3) of this subsection, are licensed or
348 exempt from licensure under this chapter, (2) the corporation, limited
349 liability company or partnership has been issued a real estate broker
350 license by the commission or the commissioner as provided in this
351 section and has paid the license or renewal fee required for a real estate
352 broker's license as set forth in section 20-314, as amended by this act,
353 and (3) except for a publicly traded corporation (A) with respect to a
354 corporation other than a nonstock corporation, one or more real estate
355 brokers own or control fifty-one per cent or more of the total issued
356 shares of the corporation, (B) with respect to a nonstock corporation,
357 one or more real estate brokers constitute at least fifty-one per cent of
358 the members of the nonstock corporation, (C) with respect to a limited
359 liability company, one or more real estate brokers own or control at
360 least fifty-one per cent of the interest in the limited liability company,
361 as defined in section 34-101, or (D) with respect to a partnership, one
362 or more real estate brokers' partnership interest, as defined in section
363 34-301, constitutes at least fifty-one per cent of the total partnership
364 interest. No such corporation, limited liability company or partnership
365 shall be relieved of responsibility for the conduct or acts of its agents,

366 employees or officers by reason of its compliance with this section, nor
367 shall any individual practicing real estate brokerage be relieved of
368 responsibility for real estate services performed by reason of the
369 individual's employment or relationship with such corporation,
370 limited liability company or partnership. The Real Estate Commission
371 may refuse to authorize the issuance or renewal of a license if any facts
372 exist that would entitle the commission to suspend or revoke an
373 existing license.

374 (c) A corporation, limited liability company or partnership desiring
375 a real estate broker license shall file with the commission or the
376 commissioner an application on such forms and in such manner as
377 prescribed by the Department of Consumer Protection. Each such
378 corporation, limited liability company or partnership shall file with the
379 commission a designation of at least one individual licensed as a real
380 estate broker in this state who shall be in charge of the real estate
381 brokerage business of such corporation, limited liability company or
382 partnership in this state. Such corporation, limited liability company or
383 partnership shall notify the commission of any change in such
384 designation not later than thirty days after such change becomes
385 effective.

386 (d) The Real Estate Commission may impose a fine of not more than
387 one thousand dollars on any corporation, limited liability company or
388 partnership that engages in real estate business without a license
389 required by this section. Any such imposition of a fine by the
390 commission shall be a proposed final decision and submitted to the
391 commissioner in accordance with the provisions of subsection (b) of
392 section 21a-7, as amended by this act.

393 Sec. 509. Section 20-313 of the general statutes is repealed and the
394 following is substituted in lieu thereof (*Effective July 1, 2016*):

395 Any person possessing the qualifications prescribed in this chapter,
396 and in any regulations adopted under this chapter, who desires to
397 engage in the real estate business shall [make application] apply, in

398 writing, as provided in this chapter, to the commission or the
399 Commissioner of Consumer Protection for the specific license desired.

400 Sec. 510. Subsection (c) of section 20-314 of the 2016 supplement to
401 the general statutes is repealed and the following is substituted in lieu
402 thereof (*Effective July 1, 2016*):

403 (c) In order to determine the competency of any applicant for a real
404 estate broker's license or a real estate salesperson's license the
405 commission or Commissioner of Consumer Protection shall, on
406 payment [to the commission] of an application fee of one hundred
407 twenty dollars by an applicant for a real estate broker's license or [on
408 payment to the commission of] an application fee of eighty dollars by
409 an applicant for a real estate salesperson's license, subject such
410 applicant to personal written examination as to the applicant's
411 competency to act as a real estate broker or real estate salesperson, as
412 the case may be. Such examination shall be prepared by the
413 Department of Consumer Protection or by a national testing service
414 designated by the Commissioner of Consumer Protection and shall be
415 administered to applicants by the Department of Consumer Protection
416 or by such testing service at such times and places as the commissioner
417 may deem necessary. The commission or Commissioner of Consumer
418 Protection may waive the uniform portion of the written examination
419 requirement in the case of an applicant who has taken the national
420 testing service examination in another state within two years from the
421 date of application and has received a score deemed satisfactory by the
422 commission or Commissioner of Consumer Protection. The
423 Commissioner of Consumer Protection shall adopt regulations, in
424 accordance with chapter 54, establishing passing scores for
425 examinations. In addition to such application fee, applicants taking the
426 examination administered by a national testing service shall be
427 required to pay directly to such testing service an examination fee
428 covering the cost of such examination. Each payment of such
429 application fee shall entitle the applicant to take such examination
430 within the one-year period from the date of payment.

431 Sec. 511. Subsection (d) of section 20-314 of the 2016 supplement to
432 the general statutes, as amended by section 1 of public act 15-98, is
433 repealed and the following is substituted in lieu thereof (*Effective July*
434 *1, 2016*):

435 (d) (1) Each applicant applying for a real estate broker's license on or
436 after July 1, 2016, shall, before being admitted to such examination,
437 prove to the satisfaction of the commission or the Commissioner of
438 Consumer Protection that the applicant (A) (i) has been actively
439 engaged for at least two years as a licensed real estate salesperson
440 under the supervision of a licensed real estate broker in this state, (ii)
441 has successfully completed a course approved by the commission or
442 commissioner in real estate principles and practices of at least sixty
443 classroom hours of study, (iii) has successfully completed a course
444 approved by the commission or commissioner in real estate legal
445 compliance consisting of at least fifteen classroom hours of study, (iv)
446 has successfully completed a course approved by the commission or
447 commissioner in real estate brokerage principles and practices
448 consisting of at least fifteen classroom hours, and (v) has successfully
449 completed two elective courses, each consisting of fifteen classroom
450 hours of study, as prescribed by the commission or commissioner, or
451 (B) has equivalent experience or education as determined by the
452 commission or commissioner.

453 (2) The commission or the Commissioner of Consumer Protection
454 shall waive the elective courses under subparagraph (A)(v) of
455 subdivision (1) of this subsection if the applicant has successfully
456 completed at least twenty real estate transactions within five years
457 immediately preceding the date of application. As used in this
458 subdivision, "real estate transaction" means any transaction in which
459 real property is legally transferred to another party or in which a lease
460 agreement is executed between a landlord and a tenant.

461 (3) Each applicant for a real estate salesperson's license shall, before
462 being admitted to such examination, prove to the satisfaction of the
463 commission or the Commissioner of Consumer Protection that the

464 applicant (A) has successfully completed a course approved by the
465 commission or commissioner in real estate principles and practices
466 consisting of at least sixty classroom hours of study, or (B) has
467 equivalent experience or education as determined by the commission
468 or commissioner.

469 Sec. 512. Subsection (a) of section 20-316 of the general statutes is
470 repealed and the following is substituted in lieu thereof (*Effective July*
471 *1, 2016*):

472 (a) [No license under this chapter shall be denied by the] The
473 commission [to] or Commissioner of Consumer Protection shall not
474 deny a license under this chapter to any applicant who has been
475 convicted of forgery, embezzlement, obtaining money under false
476 pretenses, extortion, criminal conspiracy to defraud or other like
477 offense or offenses, or to any association or partnership of which such
478 person is a member, or to any corporation of which such person is an
479 officer or in which as a stockholder such person has or exercises a
480 controlling interest either directly or indirectly, except in accordance
481 with the provisions of section 46a-80.

482 Sec. 513. Subsection (a) of section 20-317 of the general statutes is
483 repealed and the following is substituted in lieu thereof (*Effective July*
484 *1, 2016*):

485 (a) A person licensed in another state as a real estate broker or
486 salesperson may become a real estate broker or real estate salesperson
487 in this state by conforming to all of the provisions of this chapter. The
488 commission or Commissioner of Consumer Protection shall recognize
489 a current, valid license issued to a currently practicing, competent real
490 estate broker or real estate salesperson by another state as satisfactorily
491 qualifying the broker or salesperson for a license as a real estate broker
492 or real estate salesperson under this chapter, provided (1) the laws of
493 the state in which the broker or salesperson is licensed require that
494 applicants for licenses as real estate brokers and real estate
495 salespersons establish their competency by written examinations and

496 allow licenses to be issued to residents of the state of Connecticut,
497 licensed under this chapter, without examination, (2) the licensure
498 requirements of such state are substantially similar to or higher than
499 those of this state, and (3) the broker or salesperson has no disciplinary
500 proceeding or unresolved complaint pending against the broker or
501 salesperson. If the applicant is licensed in a state that does not have
502 such requirements, such applicant shall be required to pass the
503 Connecticut portion of the real estate examination.

504 Sec. 514. Section 20-320 of the general statutes is repealed and the
505 following is substituted in lieu thereof (*Effective July 1, 2016*):

506 The Department of Consumer Protection may, upon the request of
507 the commission or upon the verified complaint in writing of any
508 person, if such complaint, or such complaint together with evidence,
509 documentary or otherwise, presented in connection with such
510 complaint, shall make out a prima facie case, investigate the actions of
511 any real estate broker or real estate salesperson or any person who
512 assumes to act in any of such capacities within this state. The
513 commission may temporarily suspend or permanently revoke any
514 license issued under the provisions of this chapter and, in addition to
515 or in lieu of such suspension or revocation, may, in its discretion,
516 impose a fine of not more than two thousand dollars at any time when,
517 after proceedings as provided in section 20-321, the commission finds
518 that the licensee has by false or fraudulent misrepresentation obtained
519 a license or that the licensee is guilty of any of the following: (1)
520 Making any material misrepresentation; (2) making any false promise
521 of a character likely to influence, persuade or induce; (3) acting as an
522 agent for more than one party in a transaction without the knowledge
523 of all parties for whom the licensee acts; (4) representing or attempting
524 to represent a real estate broker other than the licensee's employer or
525 the broker with whom the licensee is affiliated, without the express
526 knowledge and consent of the licensee's employer or affiliated broker;
527 (5) failing, within a reasonable time, to account for or remit any
528 moneys coming into the licensee's possession which belong to others;
529 (6) entering into an exclusive listing contract or buyer agency contract

530 which contains a fixed termination date if such contract also provides
531 for an automatic continuation of the period of such contract beyond
532 such date; (7) failing to deliver immediately a copy of any instrument
533 to any party or parties executing the instrument, where such
534 instrument has been prepared by the licensee or under the licensee's
535 supervision and where such instrument relates to the employment of
536 the licensee or to any matters pertaining to the consummation of a
537 lease, or the purchase, sale or exchange of real property or any other
538 type of real estate transaction in which the licensee may participate as
539 a broker or a salesperson; (8) conviction in a court of competent
540 jurisdiction of forgery, embezzlement, obtaining money under false
541 pretenses, larceny, extortion, conspiracy to defraud, or other like
542 offense or offenses, provided suspension or revocation under this
543 subdivision shall be subject to the provisions of section 46a-80; (9)
544 collecting compensation in advance of services to be performed and
545 failing, upon demand of the person paying the compensation or the
546 commission, to render an accounting of the use of such money; (10)
547 commingling funds of others with the licensee's own, or failing to keep
548 funds of others in an escrow or trustee account; (11) any act or conduct
549 which constitutes dishonest, fraudulent or improper dealings; (12)
550 failing to provide the disclosures required by section 20-325c; (13) a
551 violation of any provision of this chapter or any regulation adopted
552 under this chapter. Any such suspension or revocation of a license or
553 imposition of a fine by the commission shall be a proposed final
554 decision and submitted to the commissioner in accordance with the
555 provisions of subsection (b) of section 21a-7, as amended by this act.
556 Any fine collected pursuant to this section shall be deposited in the
557 Real Estate Guaranty Fund established pursuant to section 20-324a.

558 Sec. 515. Section 20-320a of the general statutes is repealed and the
559 following is substituted in lieu thereof (*Effective July 1, 2016*):

560 (a) No real estate broker or real estate salesperson, no person
561 affiliated with such broker or salesperson, and no person engaging in
562 the real estate business may receive a fee, commission or other form of
563 referral fee for the referral of any buyer of real property to (1) an

564 attorney-at-law admitted to practice in this state or any person
565 affiliated with such attorney or (2) any mortgage broker, any lender, as
566 defined in subdivision (5) of section 49-31d, or any person affiliated
567 with such mortgage broker or lender.

568 (b) The Department of Consumer Protection may, upon the request
569 of the commission or upon the verified complaint in writing of any
570 person, if such complaint, or such complaint together with evidence,
571 documentary or otherwise, presented in connection with such
572 complaint, shall make out a prima facie case, investigate the actions of
573 any real estate broker or real estate salesperson or any person who
574 assumes to act in any of such capacities within this state. The
575 commission may temporarily suspend or permanently revoke any
576 license issued under the provisions of this chapter, and, in addition to
577 or in lieu of such suspension or revocation, may, in its discretion,
578 impose a fine of not more than one thousand dollars for the first
579 offense at any time when, after proceedings as provided in section 20-
580 321, the commission finds that the licensee is guilty of violating any of
581 the provisions of subsection (a) of this section. Any such suspension or
582 revocation of a license or imposition of a fine by the commission shall
583 be a proposed final decision and submitted to the commissioner in
584 accordance with the provisions of subsection (b) of section 21a-7, as
585 amended by this act.

586 Sec. 516. Section 20-325 of the general statutes is repealed and the
587 following is substituted in lieu thereof (*Effective July 1, 2016*):

588 Any person who engages in the business of a real estate broker or
589 real estate salesperson without obtaining a license as provided in this
590 chapter shall be fined not more than one thousand dollars or
591 imprisoned not more than six months or both, and shall be ineligible to
592 obtain a license for one year from the date of conviction of such
593 offense, except that the commission [, in its discretion,] or
594 Commissioner of Consumer Protection may grant a license to such
595 person within such one-year period upon application and after a
596 hearing on such application.

597 Sec. 517. Section 20-333 of the general statutes is repealed and the
598 following is substituted in lieu thereof (*Effective July 1, 2016*):

599 (a) To obtain a license under this chapter, an applicant shall have
600 attained such applicant's eighteenth birthday and shall furnish such
601 evidence of competency as the appropriate board [, with the consent
602 of] or the Commissioner of Consumer Protection [.] shall require. A
603 recommendation for review issued pursuant to section 31-22u shall be
604 sufficient to demonstrate such competency. The applicant shall satisfy
605 such board or the commissioner that such applicant is of good moral
606 character, possesses a diploma or other evidence of graduation from
607 the eighth grade of grammar school, or possesses an equivalent
608 education to be determined on examination and has the requisite skill
609 to perform the work in the trade for which such applicant is applying
610 for a license and can comply with all other requirements of this chapter
611 and the regulations adopted under this chapter. A recommendation for
612 review issued pursuant to section 31-22u shall be sufficient to
613 demonstrate that an applicant possesses such requisite skill and can
614 comply with all other requirements of this chapter and the regulations
615 adopted under this chapter. For any application submitted pursuant to
616 this section that requires a hearing or other action by the applicable
617 examining board or the commissioner, such hearing or other action by
618 the applicable examining board or the commissioner shall occur not
619 later than thirty days after the date of submission for such application.
620 Upon application for any such license, the applicant shall pay to the
621 department a nonrefundable application fee of ninety dollars for a
622 license under subdivisions (2) and (3) of subsection (a) and subdivision
623 (4) of subsection (e) of section 20-334a, or a nonrefundable application
624 fee of one hundred fifty dollars for a license under subdivision (1) of
625 subsection (a), subdivisions (1) and (2) of subsection (b), subdivision
626 (1) of subsection (c) and subdivisions (1), (2) and (3) of subsection (e) of
627 section 20-334a. Any such application fee shall be waived for persons
628 who present a recommendation for review issued pursuant to section
629 31-22u.

630 (b) The department shall conduct such written, oral and practical

631 examinations as the appropriate board, with the consent of the
632 commissioner, deems necessary to test the knowledge of the applicant
633 in the work for which a license is being sought. The department shall
634 allow any applicant, who has not participated in an apprenticeship
635 program but presents a recommendation for review issued pursuant to
636 section 31-22u, to sit for any such examination. Any person completing
637 the required apprentice training program for a journeyman's license
638 under section 20-334a, as amended by this act, shall, within thirty days
639 following such completion, apply for a licensure examination given by
640 the department. If an applicant does not pass such licensure
641 examination, the commissioner shall provide each failed applicant
642 with information on how to retake the examination and a report
643 describing the applicant's strengths and weaknesses in such
644 examination. Any apprentice permit issued under section 20-334a, as
645 amended by this act, to an applicant who fails three licensure
646 examinations in any one-year period shall remain in effect if such
647 applicant applies for and takes the first licensure examination given by
648 the department following the one-year period from the date of such
649 applicant's third and last unsuccessful licensure examination.
650 Otherwise, such permit shall be revoked as of the date of the first
651 examination given by the department following expiration of such
652 one-year period.

653 (c) When an applicant has qualified for a license, the department
654 shall, upon receipt of the license fee or upon waiver of such fee
655 pursuant to section 20-335, issue to such applicant a license entitling
656 such applicant to engage in the work or occupation for which a license
657 was sought and shall register each successful applicant's name and
658 address in the roster of licensed persons authorized to engage in the
659 work or occupation within the appropriate board's authority. All fees
660 and other moneys collected by the department shall be promptly
661 transmitted to the State Treasurer as provided in section 4-32.

662 Sec. 518. Section 20-333a of the general statutes is repealed and the
663 following is substituted in lieu thereof (*Effective July 1, 2016*):

664 The Commissioner of Consumer Protection may, upon the payment
665 of the appropriate fee, as provided in section 20-335, grant a license or
666 a card of registration provided for in this chapter, without an
667 examination, to any currently practicing, competent person who holds
668 a similar license or card of registration granted by any other state,
669 licensure jurisdiction within another state, the District of Columbia or
670 any territory or commonwealth of the United States having licensure
671 or registration requirements substantially similar to, or higher than,
672 those of this state, if the licensing authority in such other state,
673 licensure jurisdiction within another state, the District of Columbia or
674 any territory or commonwealth of the United States may grant such
675 similar license or card of registration, without an examination, to any
676 currently practicing, competent licensee or registrant from this state.
677 The commissioner, [with the advice and consent of] in consultation
678 with the appropriate examining board, may adopt regulations in
679 accordance with the provisions of chapter 54 in order to carry out the
680 provisions of this section.

681 Sec. 519. Subsection (c) of section 20-334 of the general statutes is
682 repealed and the following is substituted in lieu thereof (*Effective July*
683 *1, 2016*):

684 (c) [Each] The Commissioner of Consumer Protection and each
685 board established under section 20-331 may suspend or revoke any
686 license or certificate granted or issued by it under this chapter if the
687 holder of such license or certificate is convicted of a felony, is grossly
688 incompetent, engages in malpractice or unethical conduct or
689 knowingly makes false, misleading or deceptive representations
690 regarding his work or violates the regulations adopted under this
691 chapter. Before any such license is suspended or revoked, such holder
692 shall be given notice and opportunity for hearing as provided in
693 regulations adopted by the Commissioner of Consumer Protection.
694 Any person whose license has been suspended or revoked may, after
695 ninety days, apply to the board to have such license reinstated. Any
696 such suspension or revocation of a license or certification by the board
697 shall be a proposed final decision and submitted to the commissioner

698 in accordance with the provisions of subsection (b) of section 21a-7, as
699 amended by this act.

700 Sec. 520. Subsections (a) and (b) of section 20-334a of the general
701 statutes are repealed and the following is substituted in lieu thereof
702 (*Effective July 1, 2016*):

703 (a) Except as otherwise provided in this section, the following
704 licenses may be issued by the Department of Consumer Protection,
705 [upon authorization] with the advice and assistance of the boards,
706 under the provisions of section 20-333, as amended by this act:

707 (1) (A) An unlimited contractor's license may be issued to a person
708 who has served as a journeyman in the trade for which such person
709 seeks a license for not less than two years and, if such service as a
710 journeyman was outside this state, has furnished evidence satisfactory
711 to the appropriate state board or the department that such service is
712 comparable to similar service in this state, or has furnished satisfactory
713 evidence of education and experience and has passed an examination
714 which has demonstrated that such person is competent in all aspects of
715 such trade to be an unlimited contractor. (B) A limited contractor's
716 license may be issued to a person who fulfills the requirements of
717 subparagraph (A) of this subdivision as to a specific area or areas
718 within the trade for which such person seeks a license. (C) The holder
719 of an unlimited or a limited contractor's license may, within the trade,
720 or the area or areas of the trade, for which such holder has been
721 licensed, furnish supplies and do layout, installation, repair and
722 maintenance work and distribute and handle materials, provided
723 nothing in this subdivision shall be construed to authorize the
724 performance of any action for which licensure is required under the
725 provisions of chapter 390 or 391. Such licensee shall furnish the board
726 or the department with evidence that such licensee will comply with
727 all state requirements pertaining to workers' compensation and
728 unemployment insurance and that such evidence shall be available to
729 any properly interested person prior to the issuance of a license under
730 this subdivision.

731 (2) (A) An unlimited journeyman's license may be issued to any
732 person who has completed a bona fide apprenticeship program,
733 including not less than four years' experience in the trade for which
734 such person seeks a license, and has demonstrated such person's
735 competency to perform all services included in the trade for which a
736 license is sought by successfully completing the applicable state
737 licensure examination. (B) A limited journeyman's license may be
738 issued to a person who fulfills the requirements of subparagraph (A) of
739 this subdivision in a specific area or areas of the trade for which such
740 person seeks a license, provided the length of experience required may
741 be less than four years for such area or areas of the trade.

742 (3) An apprentice's permit may be issued for the performance of
743 work in a trade licensed under the provisions of this chapter, for the
744 purpose of training, which work may be performed only under the
745 supervision of a licensed contractor or journeyman.

746 (4) An apprentice permit shall expire upon the failure of the
747 apprentice holding such permit to apply for the first licensure
748 examination given by the department following completion of an
749 apprentice training program as provided in subdivision (2) of this
750 subsection.

751 (b) The following licenses for solar thermal work may be issued by
752 the department, [upon authorization] with the advice and assistance of
753 the examining board for heating, piping, cooling and sheet metal work,
754 under the provisions of section 20-333, as amended by this act,
755 including an examination on solar work:

756 (1) A solar thermal contractor's license may be issued to any person
757 who (A) not later than July 1, 1984, (i) has been issued a P-1, P-3, S-1, S-
758 3, S-5, S-7, D-1 or D-3 license under subdivision (1) of subsection (a) of
759 this section or installs at least six fully operational solar hot water
760 heating systems, and (ii) qualifies for a solar thermal contractor's
761 license under section 20-333, as amended by this act, or (B) has served
762 as a solar thermal journeyman for not less than two years.

763 (2) A solar thermal journeyman's license may be issued to any
764 person who (A) not later than July 1, 1984, (i) is issued a P-2, P-4, S-2, S-
765 4, S-6, S-8, D-2 or D-4 license under subdivision (2) of subsection (a) of
766 this section, and (ii) qualifies for a solar thermal journeyman's license
767 under section 20-333, as amended by this act, (B) after July 1, 1984, is
768 issued a P-2, P-4, S-2, S-4, S-6, S-8, D-2 or D-4 license under subdivision
769 (2) of subsection (a) of this section and whose bona fide apprenticeship
770 program includes instruction in solar thermal work, or (C) after July 1,
771 1984, completes a bona fide solar thermal work apprenticeship
772 program and has not less than two years' experience in solar thermal
773 work. A solar thermal journeyman may work only under the
774 supervision of a licensed solar thermal contractor.

775 (3) A solar thermal apprentice's permit may be issued for the
776 performance of solar thermal work for the purpose of training. Such
777 work may be performed only under the supervision of a licensed solar
778 thermal contractor or journeyman.

779 Sec. 521. Subsection (b) of section 20-340b of the general statutes is
780 repealed and the following is substituted in lieu thereof (*Effective July*
781 *1, 2016*):

782 (b) Notwithstanding any provision of this chapter, [to the contrary,]
783 a public service technician may be issued a certificate of registration by
784 the Department of Consumer Protection, [upon authorization of] in
785 consultation with the Electrical Work Board, in lieu of any license
786 which otherwise might be required under this chapter, which shall
787 entitle the holder of such certificate to perform telecommunications
788 electrical work only as provided in this section, provided the public
789 service company, certified telecommunications provider or affiliate
790 which employs the public service technician certifies to the [Electrical
791 Work Board] Department of Consumer Protection that the employee
792 has obtained such training and experience deemed necessary by the
793 public service company, certified telecommunications provider or
794 affiliate to perform telecommunications electrical work included in
795 such employee's job functions.

796 Sec. 522. Subsection (e) of section 20-340b of the general statutes is
797 repealed and the following is substituted in lieu thereof (*Effective July*
798 *1, 2016*):

799 (e) A public service company or certified telecommunications
800 provider employing a public service technician shall inform the
801 [Electrical Work Board] Department of Consumer Protection upon the
802 change in job description or termination of any registered public
803 service technician previously certified to the [board] department
804 pursuant to subsection (b) of this section and upon the issuance or
805 termination of a trainee's certificate provided to an employee pursuant
806 to subsection (d) of this section.

807 Sec. 523. Subsection (a) of section 20-372 of the general statutes is
808 repealed and the following is substituted in lieu thereof (*Effective July*
809 *1, 2016*):

810 (a) The issuance of a license by the Department of Consumer
811 Protection shall be evidence that the person named in such license is
812 entitled to the rights and privileges of a licensed landscape architect
813 while such license remains valid. The board may deny or refuse to
814 authorize the issuance of a license by the department upon proof of the
815 commission by an applicant of any act or omission which would
816 constitute cause for disciplinary action under this chapter if committed
817 by a licensee. Any such denial or refusal of the board to authorize the
818 issuance of a license shall be a proposed final decision and submitted
819 to the commissioner in accordance with the provisions of subsection
820 (b) of section 21a-7, as amended by this act. The department shall keep
821 a record of the names and addresses of all licensed landscape
822 architects, which record shall be open to the public. The department
823 shall keep an index and record of each license. The license shall contain
824 the name of the person to whom issued and his address and principal
825 place of business. Licenses to practice landscape architecture shall
826 remain in full force until revoked or suspended for cause, as provided
827 in section 20-373, as amended by this act.

828 Sec. 524. Section 20-373 of the general statutes is repealed and the
829 following is substituted in lieu thereof (*Effective July 1, 2016*):

830 After notice and opportunity for hearing as provided in the
831 regulations adopted by the Commissioner of Consumer Protection, the
832 board may: (1) Suspend or revoke any license or registration issued
833 pursuant to this chapter, (2) issue a letter of reprimand to any such
834 license or registration holder, (3) place any such license or registration
835 holder on probationary status with certain conditions, (4) issue a civil
836 penalty in an amount not greater than one thousand dollars to any
837 such license or registration holder, or (5) impose any combination of
838 subdivisions (1) to (4), inclusive, of this section if it is shown that the
839 license or registration was obtained through fraud or
840 misrepresentation; or if the holder of the license or registration has
841 been found guilty by the board or by a court of competent jurisdiction
842 of any fraud or deceit in such license or registration holder's
843 professional practice; or if the holder of the license or registration has
844 been found guilty by the board of negligence or incompetency; or if the
845 board has found that the licensee or registrant has violated any
846 provision of this chapter, or the regulations adopted pursuant to this
847 chapter. Any action taken by the board pursuant to subdivisions (1) to
848 (5), inclusive, of this section shall be a proposed final decision and
849 submitted to the commissioner in accordance with the provisions of
850 subsection (b) of section 21a-7, as amended by this act. Appeals from
851 the decisions of the [board] Commissioner of Consumer Protection
852 may be taken as provided in section 4-183. The board may authorize
853 the Department of Consumer Protection to reissue any license or
854 registration which has been revoked, and the board may modify or
855 discontinue any action taken by it pursuant to this section.

856 Sec. 525. Subsection (c) of section 20-494 of the general statutes is
857 repealed and the following is substituted in lieu thereof (*Effective July*
858 *1, 2016*):

859 (c) The board may discontinue, suspend or rescind any action taken
860 under subsection (a) or (b) of this section. Any such action taken by

861 the board under subsection (a) or (b) of this section that is adverse to a
862 party shall be a proposed final decision and submitted to the
863 commissioner in accordance with the provisions of subsection (b) of
864 section 21a-7, as amended by this act.

865 Sec. 526. Subsection (b) of section 20-494a of the general statutes is
866 repealed and the following is substituted in lieu thereof (*Effective July*
867 *1, 2016*):

868 (b) The board may, after notice and hearing and with the consent of
869 the Commissioner of Consumer Protection, impose a civil penalty on
870 any person who (1) engages in or practices the work for which a
871 license or permit is required by sections 20-490 to 20-495a, inclusive,
872 without having first obtained such a license or permit, (2) employs or
873 supplies for employment a person who does not have such a license or
874 permit, (3) falsely pretends to qualify to engage in or practice such
875 work, (4) engages in or practices any of the work for which a license or
876 permit is required by said sections after the expiration of such person's
877 license or permit, or (5) violates any of the provisions of said sections
878 or the regulations adopted pursuant to said sections. Such penalty
879 shall not exceed five thousand dollars for each violation, except that
880 any individual employed as a home inspector intern but improperly
881 registered shall not be penalized for a first offense.

882 Sec. 527. Section 20-519 of the general statutes is repealed and the
883 following is substituted in lieu thereof (*Effective July 1, 2016*):

884 Before refusing, suspending or revoking any certification or
885 provisional license, or imposing any fine, the commission shall give
886 notice and afford an opportunity for hearing as provided in the
887 regulations adopted by the Commissioner of Consumer Protection.
888 Any such refusal, suspension or revocation of a certification or license
889 by the commission shall be a proposed final decision and submitted to
890 the commissioner in accordance with the provisions of subsection (b)
891 of section 21a-7, as amended by this act.

892 Sec. 528. Section 20-574 of the general statutes is repealed and the

893 following is substituted in lieu thereof (*Effective July 1, 2016*):

894 The commissioner shall exercise [general] supervision over the
895 operations of the commission pursuant to sections 20-570 to 20-630,
896 inclusive.

897 Sec. 529. Subsection (a) of section 20-653 of the general statutes is
898 repealed and the following is substituted in lieu thereof (*Effective July*
899 *1, 2016*):

900 (a) Any person seeking a license under the provisions of sections 20-
901 650 to 20-656, inclusive, as amended by this act, shall apply to the
902 board or the Department of Consumer Protection in writing on a form
903 provided by the board. Such application shall include the applicant's
904 name, residence address, business address and such other information
905 as the Commissioner of Consumer Protection may require by
906 regulation adopted in accordance with chapter 54 upon the
907 recommendation of the board.

908 Sec. 530. Section 20-654 of the general statutes is repealed and the
909 following is substituted in lieu thereof (*Effective July 1, 2016*):

910 (a) No person shall receive a license under the provisions of sections
911 20-650 to 20-656, inclusive, as amended by this act, until such person
912 has passed an examination which shall be substantially similar to the
913 examination of the National Court Reporters Association, or has
914 submitted evidence satisfactory to the board or the Department of
915 Consumer Protection that such person is a Registered Professional
916 Reporter of the National Court Reporters Association or its equivalent.

917 (b) If the applicant satisfies the requirements of this section, upon
918 payment of the fee required by section 20-653, as amended by this act,
919 the board [shall authorize] or the Department of Consumer Protection
920 [to] shall issue a license to the applicant, showing that the person
921 named in such license is entitled to engage in the practice of shorthand
922 reporting in this state in accordance with the provisions of sections 20-
923 650 to 20-656, inclusive, as amended by this act. Notwithstanding the

924 provisions of subsection (b) of section 21a-10, any such license shall be
925 valid for a period of three years.

926 (c) Any license issued under the provisions of sections 20-650 to 20-
927 656, inclusive, as amended by this act, upon payment of the fee
928 required by section 20-653, as amended by this act, may be renewed
929 for a period of three years. As a condition of any such renewal, the
930 licensee shall furnish evidence satisfactory to the board or the
931 department that the licensee has completed not less than thirty
932 continuing education credits since receipt of the initial license or the
933 previous license renewal. The Commissioner of Consumer Protection
934 shall, by regulation adopted in accordance with chapter 54 and upon
935 the recommendation of the board, establish requirements for (1) the
936 continuing education of licensed shorthand reporters; (2) the form and
937 content of the examination shorthand reporters are required to pass to
938 satisfy the licensure requirements set forth in subsection (a) of this
939 section; and (3) such other matters as the commissioner deems
940 necessary to carry out the purposes of this chapter.

941 (d) A licensee who has failed to renew such license for a period of
942 over two years from the date of expiration of such license shall have it
943 reinstated only upon complying with the examination requirements of
944 this section.

945 (e) Notwithstanding the provision of subsection (d) of this section,
946 upon application and fee, the board or the department may [, at its
947 discretion,] reinstate a lapsed license without examination, provided
948 such application for reinstatement is accompanied by a notarized letter
949 and supporting documentation attesting to the applicant's related
950 experience in the field of shorthand reporting or similar work practice
951 satisfactory to the board or the department from the time he or she had
952 let such license lapse. Such applicant, upon approval by the board or
953 the department, shall pay all back license and late fees.

954 Sec. 531. Section 20-656 of the general statutes is amended by adding
955 subsection (f) as follows (*Effective July 1, 2016*):

956 (NEW) (f) Any such suspension or revocation of a license or
 957 imposition of a civil penalty by the board shall be a proposed final
 958 decision and submitted to the commissioner in accordance with the
 959 provisions of subsection (b) of section 21a-7, as amended by this act."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	July 1, 2016	21a-9
Sec. 502	July 1, 2016	20-294
Sec. 503	July 1, 2016	20-296
Sec. 504	July 1, 2016	20-302
Sec. 505	July 1, 2016	20-304
Sec. 506	July 1, 2016	20-304a(a)
Sec. 507	July 1, 2016	20-307a
Sec. 508	July 1, 2016	20-312
Sec. 509	July 1, 2016	20-313
Sec. 510	July 1, 2016	20-314(c)
Sec. 511	July 1, 2016	20-314(d)
Sec. 512	July 1, 2016	20-316(a)
Sec. 513	July 1, 2016	20-317(a)
Sec. 514	July 1, 2016	20-320
Sec. 515	July 1, 2016	20-320a
Sec. 516	July 1, 2016	20-325
Sec. 517	July 1, 2016	20-333
Sec. 518	July 1, 2016	20-333a
Sec. 519	July 1, 2016	20-334(c)
Sec. 520	July 1, 2016	20-334a(a) and (b)
Sec. 521	July 1, 2016	20-340b(b)
Sec. 522	July 1, 2016	20-340b(e)
Sec. 523	July 1, 2016	20-372(a)
Sec. 524	July 1, 2016	20-373
Sec. 525	July 1, 2016	20-494(c)
Sec. 526	July 1, 2016	20-494a(b)
Sec. 527	July 1, 2016	20-519
Sec. 528	July 1, 2016	20-574
Sec. 529	July 1, 2016	20-653(a)
Sec. 530	July 1, 2016	20-654
Sec. 531	July 1, 2016	20-656